

Message Text

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PAGE 01 FRANKF 09684 281137Z

ACTION COME-00

INFO OCT-01 EUR-12 ISO-00 EB-08 L-03 /024 W

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P R 281050Z DEC 77

FM AMCONSUL FRANKFURT

TO SECSTATE WASHDC PRIORITY 434

INFO AMEMBASSY BONN

UNCLAS FRANKFURT 9684

FOR COMMERCE

E.O. 11652: N/A

TAGS: BEXP, GW

SUBJ: CANAAN INDUSTRIES INTL., INC.

1. CANAAN INDUSTRIES INTL., INC., WEST CANAAN, CONNECTICUT CONTACTED EMBASSY, BONN (ACTION REFERRED TO CONGEN) REGARDING REPORTED CONFISCATION BY GERMAN POLICE OF EDP EQUIPMENT (TERMINALS AND ACCESSORIES) ALLEGEDLY OWNED BY IT BUT IN THE HANDS OF THE RECENTLY BANKRUPTED GERMAN COMPANY, IMPRO GMBH.

2. THE POST HAS CONTACTED THE REGIONAL POLICE HQS AND, DR. BARBIERE, ATTORNEY FOR THE HAZELTINE GMBH, GERMAN SUBSIDIARY OF HAZELTINE INC., RE THE CANAAN CLAIM.

3. THE GERMAN POLICE INDICATE THEY WERE ENPOWERED TO CONFISCATE EQUIPMENT UNDER GERMAN LAW SINCE PRESIDENT OF BANKRUPT FIRM ERHARD BOETTGER, WAS CRIMINALLY CHARGED WITH EMBEZZLEMENT AND OTHER CRIMES AT THE TIME OF CONFISCATION. THE POLICE ALSO INDICATE THAT EQUIPMENT OF IMPRO PRESENTLY BEING HELD BY HAZELTINE GMBH UNTIL COURT JUDGEMENT IS REACHED IN CASES INVOLVING BOETTGER AND IMPRO GMBH.

4. ATTORNEY FOR HAZELTINE GMBH, DR. BARBIERE, ALSO CONTACTED BY CONGEN, CONFIRMED THAT CANAAN EQUIPMENT AND ACCESSORIES

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ARE INCLUDED IN INVENTORY OF IMPRO GMBH WHICH WAS TURNED OVER TO THEM BY POLICE. BARBIERE ALSO STATED THAT WHILE THE GERMAN SUBSIDIARY UNABLE TO MAKE FINAL DECISION ON RETURN OF GOODS TO CANAAN, SUBSTANTIAL PROOF OF OWNERSHIP PROVIDED BY THAT COMPANY TO HAZELTINE INC., GREENLAWN, NEW YORK IS NECESSARY AND FIRST STEP FOR CANAAN TO RECLAIM THIS PROPERTY.

5. DOC REQUESTED TO CONTACT CLIFFORD ZIMMER, PRESIDENT OF CANAAN WITH ABOVE INFORMATION AND ALSO INDICATE TO ZIMMER THAT ENCLOSURES, HIS LETTER OF DEC 3, HAVE BEEN PASSED TO DR. BARBIERE. DOC ALSO SHOULD ADVISE ZIMMER THAT QUICK ACTION BY CANAAN AND HAZELTINE IS IMPORTANT SINCE UNDER GERMAN BANKRUPTCY TITLING PROCEDURES, ALL GOOD TAKEN IN THE IMPRO INVENTORY WILL BE ASSIGNED IN THE NAME OF THAT FIRM ON OR ABOUT 1 FEBRUARY 1978 AND THEREFORE MAKE "SEPARATION OUT" AND RECOVERY" BY CANAAN MORE DIFFICULT AFTER THAT DATE. LLEHMANN

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Message Attributes

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